

Introduced by Senator Wolk

February 24, 2015

An act to amend Sections 561, 566, and 568 of the Food and Agricultural Code, relating to agriculture.

LEGISLATIVE COUNSEL'S DIGEST

SB 367, as introduced, Wolk. Agriculture: environmental farming program: greenhouse gases.

Existing law, the Cannella Environmental Farming Act of 1995, requires the Department of Food and Agriculture to establish and oversee an environmental farming program to provide incentives to farmers whose practices promote the well-being of ecosystems, air quality, and wildlife and their habitat. The act requires the Secretary of Food and Agriculture to convene a 5-member Scientific Advisory Panel on Environmental Farming for the purpose of providing advice and assistance to federal, state, and local government agencies on issues relating to air, water, and wildlife habitat, as provided.

This bill would state the intent of the Legislature (1) to enhance the long-term viability of California agriculture by supporting activities that reduce global warming impacts that may negatively impact it and the rest of the state and (2) that the department support California agriculture in pursuing reductions in greenhouse gas emissions and increased carbon storage in agricultural soils and woody vegetation. The bill would require the environmental farming program, in addition to incentives, to provide low-interest loans, technical assistance, educational materials and outreach, or a combination of these things to farmers whose practices promote the well-being of ecosystems, air quality, and wildlife and their habitat, and reduce on-farm greenhouse gas emissions or increase carbon storage in agricultural soils and woody

biomass, or both. The bill would state the intent of the Legislature to increase the membership of the Scientific Advisory Panel on Environmental Farming and would require it additionally to advise and assist on climate change. The bill would require the panel to advise the secretary and the State Board of Food and Agriculture on the creation of programs to provide technical, educational, and financial assistance to agricultural producers that provide multiple environmental and health benefits.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 561 of the Food and Agricultural Code
2 is amended to read:
3 561. The Legislature finds and declares the following:
4 (a) California agriculture helps to feed the world and fuel our
5 economy. Agriculture provides one out of every 10 jobs in
6 California, and our state has led the nation in total farm production
7 every year since 1948. During 1993, California's 76,000 farms
8 generated nearly \$20 billion in cash receipts and another \$70 billion
9 in economic activity.
10 (1) *California provides the most agriculture of any state in the*
11 *country, providing the majority of the country's fruits, vegetables,*
12 *nuts, and dairy products.*
13 (2) *Dependent on land and natural resources, California*
14 *agriculture is uniquely vulnerable to global warming. Global*
15 *warming poses a serious threat to California agriculture with*
16 *rising temperatures, increases in extreme weather events,*
17 *constrained water resources, reduced winter chilling hours, and*
18 *rising sea levels.*
19 (3) *California agriculture is also uniquely positioned to provide*
20 *climate benefits by reducing greenhouse gas emissions. Research*
21 *funded by the California Energy Commission's Public Interest*
22 *Energy Research (PIER) program suggests that some agricultural*
23 *practices will not only reduce greenhouse gas emissions, but they*
24 *may also help to store carbon in soils and trees. Carbon storage*
25 *is an important strategy to help meet the state's greenhouse gas*
26 *emissions targets.*

1 (4) *Steps taken by California agriculture to reduce greenhouse*
2 *gas emissions and sequester atmospheric carbon can provide other*
3 *important environmental cobenefits, such as improved air and*
4 *water quality, water conservation, enhanced wildlife habitat, and*
5 *healthy rural communities.*

6 (5) *It is therefore the intent of the Legislature to enhance the*
7 *long-term viability of California agriculture by supporting*
8 *activities that reduce global warming impacts that may negatively*
9 *impact it and the rest of the state.*

10 (6) *It is further the intent of the Legislature that the department,*
11 *pursuant to this article, support California agriculture in pursuing*
12 *reductions in greenhouse gas emissions and increased carbon*
13 *storage in agricultural soils and woody vegetation.*

14 (b) Many farmers engage in practices that contribute to the
15 well-being of ecosystems, air quality, and wildlife and their habitat.
16 Agriculture plays a pivotal role in preserving open space that is
17 vital to the environment. Seventy-five percent of the nation's
18 wildlife live on farms and ranches. Freshwater streams and
19 stockponds on farms and ranches provide habitat to millions of
20 fish. Corn, wheat, rice, and other field crops provide bountiful
21 food and habitat for deer, antelope, ducks, geese, and other wildlife.

22 (c) Environmental laws should be based on the best scientific
23 evidence gathered from public and private sources.

24 (d) Best scientific evidence should include the net environmental
25 impact provided by agriculture.

26 (e) Additional research is necessary to adequately inventory the
27 impact that agriculture has on the environment. Recognition should
28 be afforded to agricultural activities that produce a net benefit for
29 the environment, which is consistent with the growing trend of
30 providing incentives for the private sector to undertake economic
31 activities that benefit the environment.

32 SEC. 2. Section 566 of the Food and Agricultural Code is
33 amended to read:

34 566. (a) The department shall establish and oversee an
35 environmental farming program. The program shall provide
36 incentives, *low-interest loans, technical assistance, educational*
37 *materials and outreach, or a combination of these things* to farmers
38 whose practices promote the well-being of ecosystems, air quality,
39 and wildlife and their habitat, *and reduce on-farm greenhouse gas*

1 *emissions or increase carbon storage in agricultural soils and*
2 *woody biomass, or both.*

3 (b) The department may assist in the compilation of scientific
4 evidence from public and private sources, including the scientific
5 community, industry, conservation organizations, and federal,
6 state, and local agencies identifying the net environmental impacts
7 that agriculture creates for the environment. The department shall
8 serve as the depository of this information and provide it to federal,
9 state, and local governments, as needed.

10 (c) The department shall conduct the activities specified in this
11 article with existing resources, to the extent they are available.

12 SEC. 3. Section 568 of the Food and Agricultural Code is
13 amended to read:

14 568. (a) The secretary shall convene a five-member Scientific
15 Advisory Panel on Environmental Farming to advise and assist
16 federal, state, and local government agencies on issues relating to
17 air, water, *climate change*, and wildlife habitat to do the following:

18 (1) Review data on the impact that agriculture has on the
19 environment and recommend to appropriate state agencies data
20 that the panel approves as scientifically valid. A state agency that
21 receives data recommended by the panel may adopt and incorporate
22 the data into the appropriate program. If a state agency does not
23 utilize the data recommended by the panel, it shall provide the
24 panel with a written statement of reasons for not utilizing the data.
25 The reasons, at a minimum, shall specify the scientific basis for
26 not utilizing the data. The reasons shall be provided within 180
27 days of receiving the data from the panel.

28 (2) Compile the net environmental impacts that agriculture
29 creates for the environment, identified pursuant to paragraph (1).

30 (3) Research, review, and comment on data upon which
31 proposed environmental policies and regulatory programs are based
32 to ensure that the environmental impacts of agricultural activities
33 are accurately portrayed and to identify incentives that may be
34 provided to encourage agricultural practices with environmental
35 benefits.

36 (4) Assist government agencies to incorporate benefits identified
37 pursuant to paragraph (1) into environmental regulatory programs.

38 (5) *Advise the secretary and the State Board of Food and*
39 *Agriculture on the creation of programs to provide technical,*
40 *educational, and financial assistance to agricultural producers*

1 *that provide multiple environmental and health benefits, including,*
2 *but not limited to, reduced greenhouse gas emissions, increased*
3 *carbon storage in soils and woody biomass, improved air and*
4 *water quality, enhanced wildlife habitat, and improved local health*
5 *outcomes.*

6 (b) Members of the panel shall be highly qualified and
7 professionally active or engaged in the conduct of scientific
8 research. Of the members first appointed to the panel, two shall
9 serve for a term of two years and three shall serve for a term of
10 three years, as determined by lot. Thereafter, members shall be
11 appointed for a term of three years. The members shall be
12 appointed as follows:

13 (1) Three members shall be appointed by the secretary. At least
14 one of these members shall have a minimum of five years of
15 training and experience in the field of agriculture and shall
16 represent production agriculture.

17 (2) One member, who has a minimum of five years of training
18 and experience in the field of human health or environmental
19 science, shall be appointed by the Secretary of the Environmental
20 Protection Agency.

21 (3) One member, who has a minimum of five years of training
22 and experience in the field of resource management, shall be
23 appointed by the Secretary of the Resources Agency.

24 (c) The panel may establish ad hoc committees, which may
25 include professionals or scientists, to assist it in performing its
26 functions.

27 (d) The panel shall be created and maintained with funds made
28 available from existing resources within the department to the
29 extent they are available.

30 (e) *It is the intent of the Legislature to enact legislation to*
31 *increase the membership of the panel.*